



## CITY OF MORGAN HILL

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### PLANNING COMMISSION

**TUESDAY, JULY 10, 2001**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

#### COMMISSIONERS

CHAIR BARBARA SULLIVAN  
VICE-CHAIR PATRICIA MCMAHON  
COMMISSIONER GENO ACEVEDO  
COMMISSIONER ROBERT J. BENICH  
COMMISSIONER RALPH LYLE  
COMMISSIONER JOSEPH MUELLER  
COMMISSIONER CHARLES D. WESTON

**REGULAR MEETING - 7:00 P.M.**

#### **\*\*\* A G E N D A \*\*\***

#### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT  
CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** June 26, 2001\_

**OTHER BUSINESS:**

1. **BROWN ACT AND CONFLICT OF INTEREST PRESENTATION BY CITY  
ATTORNEY HELENE LEICHTER**
2. **MADRONE WATER TANK TOWER REPORT**

**OLD BUSINESS:**

3. **USE PERMIT AMENDMENT, UPA-98-07: MONTEREY-IRISH CONSTRUCTION:**  
A request for approval to amend an existing conditional use permit to demolish an existing 2,000-sf office use within an 18,390-sf construction office and staging yard, and replace with a 3,976-sf office space. The subject site is located at the southeast corner of Monterey Road and Burnett Avenue. (APN 726-42-004 & -006)

**Recommendation:** Motion to table item to a future Commission meeting, in order to allow staff time to resolve road dedication issues along Monterey Road and Burnett Avenue.

4. **ZONING AMENDMENT, ZA-00-21/SUBDIVISION, SD-00-19\DEVELOPMENT  
AGREEMENT, DA-00-13: NINA LANE-SHAW:** A request for approval of a tentative map, zoning amendment and development agreement for a 5-lot subdivision on a 2.5-acre parcel located on the west side of Nina Ln., north of Barrett Ave. and south of San Pedro Ave. in the R1-7000 RPD District. (APN 817-060-20)

**Recommendation:** Adopt Resolution Nos. 01-52 (zoning amendment), 01-53 (subdivision) and 01-54 (development agreement), with recommendation to forward requests to the City Council for approval.

**5. APPOINTMENT TO BURROWING OWL STUDY ADVISORY COMMITTEE:**

**TENTATIVE UPCOMING AGENDA ITEMS FOR THE JULY 24, 2001 MEETING:**

- **SD-00-10: Malaguerra-Mancias**
- **DA-00-05: Malaguerra-Mancias**
- **AP-01-02 (VAR-99-03):Monterey-Vision of Wright/Oak Glen Plaza**
- **Selection of Planning Commissioner to serve on the Housing Element Task Force**
- **UPA-75-17: Wright-Frist Assembly of God**
- **ZA-00-17: Llagas-Delco**
- **DA-00-09: Llagas-Delco**
- **SD-00-14: Llagas-Delco**
- **ZA-00-18: Hale-Delco/Sheng**
- **SD-00-15: Hale-Delco/Sheng**
- **DA-00-10: Hale-Delco/Sheng**
- **UPA-99-11: Llagas-Shadow Mt. Baptist Church**
- **USA-01-02: Hale-Catholic High**
- **USA-01-04: Hale-Delgadillo**
- **USA-01-06: City of M.H.-Soccer Complex**
- **GPA-01-03: Monterey-Chang**
- **GPA-01-04: Hale-Catholic High School**
- **ZA-01-09: Hale-Catholic High School**
- **ANX-01-03: Hale-Catholic High School**

**ANNOUNCEMENTS**

**CITY COUNCIL REPORTS**

**ADJOURNMENT**

**SPEAKER CARD**

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

**NOTICE**  
**AMERICANS WITH DISABILITY ACT (ADA)**

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

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**NOTICE**

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

**NOTICE**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*